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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/047,341	01/15/2002	Carl E. Rogers	1690	5083

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EXAMINER

ELAHEE, MD S

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 09/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/047,341

Applicant(s)

ROGERS ET AL.

Examiner

Md S Elahee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4, 5</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 2, 6, 8, 11, 12, 16 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Voit (U.S. Patent No. 5,696,809).

Regarding claim 1, Voit teaches that in a switching system, routing a call to an intelligent peripheral (IP) (fig.4, 9; col.12, lines 28-34, col.14, lines 30-35; 'intelligent peripheral (IP)' reads on the claim 'service platform').

Voit further teaches that in the intelligent peripheral (IP), transferring a prompt message over the call, collecting caller-entered information from a caller over the call in response to the announcement, and transferring the caller-entered information to a Service Control Point (SCP) system (fig.4, 7, 9; col.12, lines 28-34, col.14, lines 15-35).

Voit further teaches transferring the caller-entered information to a call server (i.e., destination processor), processing a variable (i.e., destination routing code) from the call server to determine a destination routing instruction, and transferring the destination routing instruction

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to the switching system (fig.7-9; col.13, lines 59-64, col.14, lines 30-54, col.15, lines 1-17). (Note; it is inherent that a destination routing instruction is used to select appropriate ACD to process customer call)

Voit further teaches that in the switching system, routing the call to an ACD group (i.e., destination) in response to the destination routing instruction (fig.10, item SS11; col.15, lines 1-17).

Regarding claims 2 and 12, Voit teaches destination processor selects the destination routing code based on the caller-entered information (fig.7-9; col.14, lines 30-54, col.15, lines 1-17).

Regarding claims 6 and 16, Voit teaches that the caller-entered information comprises a ANI (i.e., caller identification number) or a caller account number (col.4, lines 56-67, col.12, lines 28-34, col.14, lines 63-65).

Regarding claims 8 and 18, Voit teaches that in the switching system, removing inherently the intelligent peripheral (IP) from the call after the intelligent peripheral (IP) collects the caller-entered information (col.12, lines 28-34, col.14, lines 30-54).

Regarding claim 11, Voit teaches a switching system configured to route a call to a intelligent peripheral (IP) (fig.4, 9; col.12, lines 28-34, col.14, lines 30-35; 'intelligent peripheral (IP)' reads on the claim 'service platform').

Voit further teaches the intelligent peripheral (IP) configured to transfer a prompt message over the call, collecting caller-entered information from a caller over the call in

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response to the announcement, and transferring the caller-entered information to a Service Control Point (SCP) system (fig.4, 7, 9; col.12, lines 28-34, col.14, lines 15-35).

Voit further teaches the SCP system configured to transfer the caller-entered information to a call server (i.e., destination processor), processing a variable (i.e., destination routing code) from the destination processor to determine a destination routing instruction, and transferring the destination routing instruction to the switching system (fig.7-9; col.13, lines 59-64, col.14, lines 30-54, col.15, lines 1-17). (Note; it is inherent that a destination routing instruction is used to select appropriate ACD to process customer call)

Voit further teaches that the switching system further configured to route the call to an ACD group (i.e., destination) in response to the destination routing instruction (fig.10, item SS11; col.15, lines 1-17).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3-5 and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Voit (U.S. Patent No. 5,696,809) and in view of Latter et al. (U.S. Patent No. 6,574,319).

Regarding claims 3 and 13, Voit teaches that in the intelligent peripheral (IP), transferring a queue status variable (i.e., tracking number) to the SCP system with the caller-entered information, initiating a second call to the switching system and transferring the

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queue status variable to the switching system with the second call (col.12, lines 28-34, col.14, lines 30-35).

However, Voit does not specifically teach “connecting the first call to the second call”. Latter teaches connecting the first call to the second call (col.10, lines 4-8). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Voit to connect the first call to the second call as taught by Latter. The motivation for the modification is to have doing so in order to complete the call.

Voit further teaches that in a switching system, transferring an SCP query for the second call to the SCP system (col.12, lines 28-34).

Voit further teaches in the SCP system, in the SCP system, correlating the SCP query with the caller-entered information based on the tracking number and processing the SCP query to transfer the caller-entered information to the destination processor (col.12, lines 28-34, col.14, lines 30-35).

Voit further teaches that in the switching system, routing the first call to the subscriber comprises routing the second call to the subscriber in response to the destination routing instruction (col.9, lines 43-49, 65-67, col.10, lines 1-3; ‘subscriber’ reads on the claim ‘destination’).

Regarding claims 4 and 14, Voit teaches that in the intelligent peripheral (IP), initiating the second call comprises using a different telephone number than the caller used to place the first call (fig.7-9; col.12, lines 28-34, col.14, lines 30-54, col.15, lines 1-17).

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Regarding claims 5 and 15, Voit teaches that in the intelligent peripheral (IP), transferring the prompt message comprises applying a call processing record (CPR) (i.e., call processing script), and wherein, the CPR indicates the different telephone number (fig.7-9; col.12, lines 28-34, col.14, lines 30-54, col.15, lines 1-8).

6. Claims 7 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Voit (U.S. Patent No. 5,696,809) and in view of Sbisa et al. (U.S. Patent No. 6,470,081).

Regarding claims 7 and 17, Voit fails to teach “the caller-entered information comprises a frequent flyer number”. Sbisa teaches the caller-entered information comprising a frequent flyer number (col.9, lines 14-21). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Voit to have the caller-entered information comprising a frequent flyer number as taught by Sbisa. The motivation for the modification is to have doing so in order to process a particular call.

7. Claims 9, 10, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Voit (U.S. Patent No. 5,696,809) and in view of Morrissey et al. (U.S. Patent No. 5,524,146).

Regarding claims 9 and 19, Voit teaches that in the SCP system, the destination processor selects the destination routing code based on the ANI (col.14, lines 63-65, col.15, lines 1-17).

However, Voit does not specifically teach transferring an Automatic Number Identification (ANI) to the destination processor. Morrissey teaches forwarding an Automatic Number Identification (ANI) to the tandem (col.13, lines 34-46; ‘forwarding’ reads on the claim ‘transferring’ and ‘tandem’ reads on the claim ‘destination processor’). Thus, it would have been

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obvious to one of ordinary skill in the art at the time the invention was made to modify Voit to transfer an Automatic Number Identification (ANI) to the destination processor as taught by Morrissey. The motivation for the modification is to have doing so in order to provide identification of the calling party.

Regarding claims 10 and 20, Voit teaches that the destination correlates the caller-entered information with the call received into the destination based on the ANI (col.14, lines 63-65, col.15, lines 1-17).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hollenbach et al. (US Patent No. 5,533,115) teach Network-based telephone system providing coordinated voice and data delivery.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Md S Elahee whose telephone number is (703)305-4822. The examiner can normally be reached on Mon to Fri from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703)305-4895. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

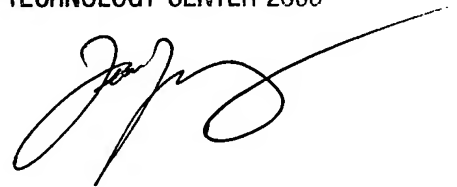
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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M.E.

MD SHAFIUL ALAM ELAHEE
September 24, 2004

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

A handwritten signature in black ink, appearing to read 'Fan Tsang', with a long horizontal stroke extending to the right.